



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

May 18, 2021

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chairman, District I
Mr. Paul Cain, Vice Chairman, District III
Mr. Julian Davis III, Chairman Pro Tem, District IV
Mr. Glenn Hart, District V
Mr. Matthew Durham, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Katie D. Smith, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal

Call to Order

Mr. Elliott called the meeting to order at 6:00 p.m.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at ksmith@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

Mr. Matthew Perry Smith addressed Council regarding the budget process and needless spending in our County of taxpayer's money.

Mr. Peter Bevilacqua addressed Council regarding Westminster Utility Department raising rates and County residents could potentially be charged additional fees.

Mr. Luke Moore addressed Council regarding critical race theory.

Mr. David Cooper addressed Council in support of Ordinance 2021-11, however, he noted the enforcement should be greater than what is stated in the ordinance.

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Mr. Luther Lyle addressed Council in support of Ordinance 2021-11 and thanked Council for what they are doing to protect the monuments in Oconee County and further noted the County has put up several historic markers over the past years [copy filed with backup materials].

Mr. John Dalen addressed Council utilizing a handout entitled “3 Points in 4 minutes” [copy filed with backup materials].

Mr. David McMahan addressed Council and gave an update regarding the republican party, in support of Ordinance 2021-11, and thanked Ms. Brock and her staff for all of the hard they have done for the County.

County Council Response to Public Comment

Mr. Durham responded to all citizen’s comments that spoke during the Public Comment session.

Moment of Silence

Mr. Elliott asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mr. Davis the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Durham made a motion, seconded by Mr. Cain, approved 5 – 0, to approve the May 4, 2021 Regular Minutes as presented.

Administrator’s Comments

Ms. Brock addressed Council with the following item:

- Reminder of the 2nd Annual Utica Mill Village Team Up 2 Clean Up on Saturday, May 22, 2021 from 8am to noon

Attorney’s Comments

None at this meeting.

Presentation to Council

Mr. Chase Kuhlman, Walhalla Pool Coordinator, addressed Council utilizing a PowerPoint presentation [copy filed with backup materials] regarding Proclamation 2021-07.

Proclamation 2021-07

- Proclamation 2021-07 Recognizing May as National Water Safety Month

Mr. Cain read **Proclamation 2021-07** into the record.

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Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Proclamation 2021-07** on first & final reading [picture filed with backup materials].

Mr. Chase Kuhlman, Walhalla Pool Coordinator, Ms. Grayce Howard, YMCA Aquatics Director, Ms. Christle Ross, YMCA Chief Executive Officer, Ms. Tiffany Santagati, Upstate Chapter of the American Red Cross Board member, and Mr. Bob DiBella, Vice-Chairman and Upstate Chapter of the American Red Cross Board member, came forward and accepted **Proclamation 2021-07**.

Public Hearings for the Following Ordinances

If you are not able to attend in person and you would like to be heard during the public hearings, please contact Katie Smith at or 864-718-1023 so that she may coordinate your participation by telephone.

Ordinance 2021-09 “AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE “LITTER CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA.””

Forwarded from the Law Enforcement, Public Safety, Health & Welfare Committee

Mr. Elliott opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance.

Mr. Mickey Haney addressed Council in opposition of **Ordinance 2021-09** and also addressed his concerns regarding the ordinance.

Mr. Elliott asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2021-09**.

Ordinance 2021-10 “AN ORDINANCE REPEALING ORDINANCE 2021-04, WHICH REQUIRED INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY.”

General Government matter

Mr. Elliott opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. Elliott asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2021-10**.

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Third Reading of the Following Ordinances

Ordinance 2021-09 *[see caption above]*

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2021-09** on third & final reading.

Mr. Durham made a motion, seconded by Mr. Hart, to amend Littering definition under Sec. 12-175 – Definitions to add “Lawful recycling is excluded from this definition of litter”.

Discussion between Council members continued.

Regarding the previous motion made by Mr. Durham, seconded by Mr. Hart, it was approved 5 – 0, to amend Littering definition under Sec. 12-175 – Definitions to add “Lawful recycling is excluded from this definition of litter”.

Mr. Elliott called for the vote on **Ordinance 2021-09** as amended. The motion passed, 5 – 0.

Ordinance 2021-10 *[see caption above]*

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2021-10** on third & final reading.

Mr. Elliott made a motion, seconded by Mr. Davis, to amend the effective date to May 19, 2021.

Lengthy discussion continued between Council members.

Regarding the previous amended motion made by Mr. Elliott, seconded by Mr. Davis, it was approved, 5 – 0, to amend the effective date to May 19, 2021.

Mr. Elliott called for the vote on **Ordinance 2021-10** as amended. The motion passed, 5 – 0.

Second Reading of the Following Ordinances

Ordinance 2021-11 “AN ORDINANCE ESTABLISHING CHAPTER 40 OF THE OCONEE COUNTY CODE OF ORDINANCES, TO BE ENTITLED “CULTURAL AND HISTORIC PRESERVATION,” AND ENACTING ARTICLE V THERETO, CAPTIONED “PROTECTION OF HISTORICAL MEMORIALS.”

Forwarded from the Law Enforcement, Public Safety, Health & Welfare Committee

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2021-11** on second reading.

Ordinance 2021-12 “AN ORDINANCE CONSENTING TO THE TRANSFER OF CERTAIN REAL PROPERTY THAT HAS BEEN FORFEITED TO THE OFFICE OF THE OCONEE COUNTY SHERIFF; AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE CERTAIN ACTIONS IN RELATION THERETO; AND OTHER RELATED MATTERS.”

Forwarded from the Law Enforcement, Public Safety, Health & Welfare Committee

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Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2021-12** on second reading.

First Reading of the Following Ordinances

Ordinance 2021-01 “AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022.”

Mr. Davis made a motion, seconded by Mr. Cain, to approve **Ordinance 2021-01** on first reading.

Mr. Durham made a motion, seconded by Mr. Hart, to amend **Ordinance 2021-01** to go to the FY 2021 plus cost of living increase for County employees.

Lengthy discussion continued by Council members.

The previous motion to amend **Ordinance 2021-01** by Mr. Durham, seconded by Mr. Hart, was rescinded by Mr. Durham.

Mr. Durham made a motion, seconded by Mr. Hart, to amend **Ordinance 2021-01** to include the current year’s fiscal budget plus the cost of living increase for County employees and the addition of the public safety positions. The motion **failed** 2 – 3 [Mr. Davis, Mr. Cain, & Mr. Elliott opposed].

Mr. Elliott called for the vote on **Ordinance 2021-01** as originally submitted for first reading. The motion passed, 3 – 2 [Mr. Hart & Mr. Durham opposed.]

Ordinance 2021-02 “AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY (the “School District”) AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2021-02** on first reading.

Ordinance 2021-03 “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022.”

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Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2021-03** on first reading.

First & Final Reading of the Following Resolutions

None at this meeting.

Discussion Regarding Action Items

Council consideration and discussion regarding the Coronavirus State and Local Fiscal Recovery Fund

Lengthy discussion continued to include:

- \$2,000,000 be allocated to the Town of Salem to complete the waterloop
- Sewer to Exit 4
- Supply lines running from the main “trunk line” for businesses, churches, etc.
- Community violence intervention programs
- Building stronger neighborhoods and communities, including supportive housing and other services for individuals experiencing homelessness
- Development of affordable housing
- Addressing educational disparities exacerbated by COVID, including early learning services

Council Committee Reports

Mr. Durham read from a prepared statement [copy filed with these minutes] outlining the discussions held at the April 20, 2021 Law Enforcement, Public Safety, Health & Welfare Committee meeting.

Board & Commission Appointments

Building Codes Appeal Board

No nomination was made for the At-Large seat during this meeting.

Executive Session:

Mr. Hart made a motion, seconded by Mr. Davis, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Receive legal advice and discuss contractual matter regarding County broadband network.

Council entered Executive Session at 7:51 p.m.

Council returned from Executive Session at 8:44 p.m. on a motion made by Mr. Cain, seconded by Mr. Hart, approved 5 – 0.

Mr. Elliott stated that no action was taken in Executive Session.

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Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to direct staff to continue negotiations as discussed regarding County broadband network.

First Reading of the Following Ordinances [cont'd]

Ordinance 2021-13 “AN ORDINANCE (1) APPROVING THE ASSIGNMENT OF ONETONE TELECOM, INC.’S INTEREST IN THAT CERTAIN NETWORK MASTER AGREEMENT, DATED JANUARY 18, 2017, TO UPCOUNTRY FIBER, LLC, A WHOLLY-OWNED SUBSIDIARY OF BLUE RIDGE ELECTRIC COOPERATIVE, INC.; (2) APPROVING AN AMENDED AND RESTATED NETWORK MASTER AGREEMENT BETWEEN UPCOUNTRY FIBER, LLC AND OCONEE COUNTY; (3) AUTHORIZING THE OCONEE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDED AND RESTATED NETWORK MASTER AGREEMENT; AND (4) OTHER RELATED MATTERS.”

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2021-13** on first reading.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 8:46 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council

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